

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY STEWART

v.

SUPERINTENDENT FOLINO, ET AL.

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CIVIL ACTION

NO. 11-6706

**FILED**

MAR 16 2012

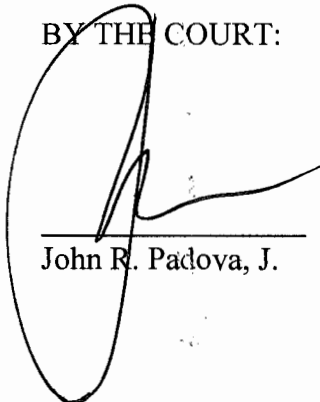
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

**AND NOW**, this 15th day of March, 2012, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Docket No. 1) and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, to which no objections were filed, **IT IS HEREBY ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The Petition for Writ of Habeas Corpus is **DENIED WITH PREJUDICE**.
3. Because Petitioner has failed to make a substantial showing of the denial of a constitutional right or demonstrate that a reasonable jurist would debate the correctness of this ruling, the Court declines to issue a certificate of appealability under 28 U.S.C. § 2253(c)(2).
4. The Clerk shall **CLOSE** this case statistically.

BY THE COURT:

  
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John R. Padova, J.